

INSTRUCTIONS

NOTE: Missouri Dealer, Auction, and Manufacturer Licenses expire on December 31 each year.

Pursuant to Section 301.550 through 301.573, RSMo., applicants who want to be licensed as a Missouri dealer, auction, or manufacturer must submit the following:

Please Note: If you are buying an existing business, you **cannot** operate under that business' license number while you are awaiting approval of your license.

1. **APPLICATION FOR A DEALER, AUCTION, OR MANUFACTURER'S LICENSE AND NUMBER PLATE(S) form, DOR-4682** – The application must be completed in full and signed by one of the listed owners. See Attachment A for instructions on completing the application. The Driver and Vehicle Services Bureau, Dealer Licensing Section, will reject any incomplete application.

NOTE: The application must be certified by the authorized law enforcement as noted in Attachment A.

2. **REQUEST FOR CRIMINAL RECORD CHECK** – Missouri law requires all licensees to be of good moral character. Good moral character is determined from information on the application as well as a criminal record check made by the MSHP of all owners, partners, or principal officers (if a corporation) listed on the application. The birth date, home address, home phone number and Social Security Number of all owners, partners, and principal officers (if a corporation) must be recorded on the application. **IF ANY OF THE OWNERS, PARTNERS, OR PRINCIPAL OFFICERS (IF A CORPORATION) ARE RESIDENTS OF A STATE OTHER THAN MISSOURI OR ANOTHER COUNTRY, THEY MUST OBTAIN A CURRENT CRIMINAL RECORD CHECK FROM THEIR HIGHWAY PATROL OR BUREAU OF INVESTIGATION AND SUBMIT IT WITH THE APPLICATION.**

Part 16 of the Application for Dealer, Auction, or Manufacturer License and Number Plate(s) must be completed. Submit a \$5 fee for a criminal record check for each owner, partner, or corporate officer listed on your application.

3. **PHOTOGRAPH** – A **current** photograph not exceeding eight inches by ten inches must be submitted with the application.
 - A. If the application is for licensure as a motor vehicle manufacturer, new motor vehicle dealer, powersport dealer, used motor vehicle dealer, or an auction, the photograph must show the business **building, lot, and sign**. If more than one photo is necessary to show all three sites, a statement must be submitted which clearly explains that all photos were taken at the same address.
 - B. If the application is for licensure as a boat dealer or auction, the photograph must show the business' building and sign. If the application is for licensure as a wholesale motor vehicle dealer, the photograph must show the dealership's building **ONLY**.

4. **CORPORATE SURETY BOND OR IRREVOCABLE LETTER OF CREDIT** – Motor vehicle dealers, wholesale dealers, powersport dealers, and boat dealers must submit either an ORIGINAL corporate surety bond or an ORIGINAL irrevocable letter of credit issued by a state or federal financial institution, in the penal sum of \$25,000 with their application for dealer licensure. The bond or irrevocable letter of credit must be on a form approved by the DVSB, Dealer Licensing Section (see Attachment C1 and C2 for a sample bond and irrevocable letter of credit).

NOTE: THE BOND/IRREVOCABLE LETTER OF CREDIT MUST HAVE AN EXPIRATION DATE COVERING THE ENTIRE CALENDAR YEAR OR INDICATE “NON-EXPIRING.” The bond/irrevocable letter of credit requirement does not apply to auctions or manufacturers.

5. **FRANCHISE AGREEMENTS** – Dealers selling any new motor vehicles, and motorcycles are required to submit a copy of their franchise agreement(s) or manufacturer's letter of appointment. A "Manufacturer's Certificate of a Dealer" is also acceptable. **A manufacturer's letter of intent shall not suffice as proof of franchise.** The document must include the name and address of the franchisee, the effective date of the franchise agreement, the expiration date of the franchise agreement, if applicable, and the make(s) of vehicle the franchisee is authorized to sell. The document shall in all cases state that the Missouri Department of Revenue will be notified in case of cancellation by either party. The document must provide for notification to the department at least 30 days prior to cancellation of the franchise. If a dealer wants to sell new vehicles for which the dealer does not have a franchise agreement, the dealer must apply for a title in the dealership's name. Certificates of Origin for any given make of vehicle can only be assigned by dealers who are franchised to sell that make of motor vehicle. If you are requesting licensure as a manufacturer, you must issue franchise agreements to the dealer whom you authorize to sell those makes of vehicles or vehicle bodies you manufacture. You must supply a Manufacturer's Certificate of Origin for each vehicle/vehicle body manufactured (see Attachment D for a sample franchise agreement).
6. **MANUFACTURER'S LETTER** – All motor vehicle and or trailer manufacturers must submit a letter that lists the makes of all motor vehicles and or trailers they manufacture. If the applicant is a “final stage” manufacturer or converter, the applicant must list the makes of vehicle bodies, (e.g., dump, hoist, coach, etc.), that are manufactured along with a brief description of the operation. The letter must also state whether the applicant actually manufactures the bodies or performs the conversion work and if the units manufactured are sold directly to the general public or to another dealer for resale to the general public.
7. **REGISTRATION WITH THE OFFICE OF THE SECRETARY OF STATE** – All businesses must be properly registered with the Office of the Secretary of State as required by Missouri law. A copy of this registration is not required to be submitted with your dealer application, **except as noted below**. For more information, please contact the Secretary of State's Office by calling (573) 751-3827.

NOTE: A copy of the Fictitious Name Registration must accompany your application for dealer licensure **ONLY** if the business name on your sign is not the same as the business name listed on line 1 of your dealer application. See Attachment B (Business Requirements) for additional information.

8. **FEES** - You must submit one check or money order for the licensure fees and plate fees

as outlined below:

LICENSURE FEES – If applying for licensure as a motor vehicle dealer, powersport dealer, auction, and/or manufacturer, the license fee is \$150. The fee for boat dealers and/or boat manufacturers is \$80. For example, if applying for licensure as a motor vehicle dealer and manufacturer and a boat dealer and boat manufacturer, the license fee is \$230.

NOTE: If applying for a licensure as a motor vehicle dealer and an auction, two separate applications must be submitted along with a \$150 license fee for each application (total of \$300).

When making application during the license year, the license fees are prorated as follows:

REGISTRATION FEES

MONTH	MOTOR VEHICLE/ POWERSPORT DEALER/MANUFACTURER	AUCTION	BOAT DEALER/ MANUFACTURER
JANUARY	\$150.00	\$150.00	\$80.00
FEBRUARY	\$137.50	\$137.50	\$73.15
MARCH	\$125.00	\$125.00	\$66.50
APRIL	\$112.50	\$112.50	\$59.85
MAY	\$100.00	\$100.00	\$53.20
JUNE	\$87.50	\$87.50	\$46.55
JULY	\$75.00	\$75.00	\$39.90
AUGUST	\$62.50	\$62.50	\$33.25
SEPTEMBER	\$50.00	\$50.00	\$26.60
OCTOBER	\$37.50	\$37.50	\$19.95
NOVEMBER	\$25.00	\$25.00	\$13.30
DECEMBER	\$12.50	\$12.50	\$ 6.65

LICENSE PLATE FEES - If applying for licensure as a motor vehicle dealer, powersport dealer,

wholesale dealer, or manufacturer, the fee is \$50 for the original dealer license plate. If applying for licensure as a boat dealer or boat manufacturer, the fee is \$50 for the original boat dealer plate/certificate of number. If applying for licensure as a boat dealer and a motor vehicle dealer, the fee is \$100. If applying for licensure as an auction, the fee is \$50 for the certificate of registration. Additional dealer license plates and certificates of number can be obtained for \$10.50 each. If you are applying for licensure after January 31, the original \$50 fee and additional license plate fees are prorated as follows:

February	\$45.83	August	\$20.83
March	\$41.67	September	\$16.67
April	\$37.50	October	\$12.50
May	\$33.33	November	\$ 8.33
June	\$29.17	December	\$ 4.17
July	\$25.00		

ADDITIONAL PLATES - Additional motor vehicle dealer, boat dealer license plates, and certificates of number are \$10.50 if you are purchasing them for the full year. If purchased after January 31, the fees are prorated as shown below:

February	\$9.63	August	\$4.38
March	\$8.75	September	\$3.50
April	\$7.88	October	\$2.63
May	\$7.00	November	\$1.75
June	\$6.13	December	\$.88
July	\$5.25		

You must submit a check or money order made payable to the Missouri Department of Revenue for the correct amount with the application for the combined license, license plate, and certificate fees. The department may electronically resubmit checks returned for insufficient or uncollected funds.

Upon approval of your application, the Dealer Licensing Section will issue your license and send your dealer license plate(s) to your dealership address via United Parcel Service.

ADDITIONAL INFORMATION

Missouri Statutes define the following:

- A. Boat Dealer: Any natural person, partnership, or corporation who, for a commission or with an intent to make a profit or gain of money or other things of value, sells, barter, exchanges, leases, or rents with the option to purchase, offers, attempts to sell, or negotiates the sale of any vessel or vessel trailer, whether or not the vessel or vessel trailer is owned by such person. The sale of six or more vessels or vessel trailers or both in any calendar year shall be required as evidence that such person is eligible for licensure as a boat dealer.
- B. Boat Manufacturer: Any person engaged in the manufacturing, assembling, or modification of new vessels or vessel trailers as a regular business, including a person, partnership, or corporation which acts for and is under the control of a manufacturer or assembly in connection with the distribution of vessels or vessel trailers.
- C. Manufacturer: Any person engaged in the manufacturing, assembling, or modification of new motor vehicles or trailers as a regular business, including a person, partnership, or corporation which acts for and is under the control of a manufacturer or assembly in connection with the distribution of motor vehicles or accessories for motor vehicles.

Note: If you are a manufacturer and also sell other vehicles, in addition to what you manufacture or sell more than five of the new vehicles or boats you manufacture on a retail basis, you must indicate "Manufacturer" and "Motor Vehicle Dealer" in section five "Type of Operation(s)" on the dealer application. A "Manufacturer" is authorized to sell only the new vehicles or boats it manufactures. If you install "special bodies," (e.g., dump, hoist, lime spreaders, etc.) on an incomplete chassis, you must be licensed as a manufacturer.

- D. Motor Vehicle Dealer : Any person who, for a commission or with an intent to make a profit or gain of money or other things of value, sells, barter, exchanges, leases, or rents with option to purchase, or who offers or attempts to sell or negotiates the sale of motor vehicles or trailers whether or not the motor vehicles or trailers are owned by such person; provided, however, a motor vehicle auction, individual auctioneer, or auction conducted by an auctioneer licensed pursuant to Chapter 343, RSMo, shall not be included within the definition of a motor vehicle dealer. The sale of six or more motor vehicles or trailers in any calendar year shall be required as evidence that such person is engaged in the motor vehicle business and is eligible for licensure as a motor vehicle dealer. Motor vehicle dealers are allowed to make wholesale sales and must report these sales on their monthly sales reports.
- E. New Motor Vehicle Franchise Dealer: Any motor vehicle dealer who has been franchised to deal in a certain make of motor vehicle by the manufacturer or distributor of that make of motor vehicle and who may, in line with conducting his business as a franchise dealer, sell, barter, or exchange used motor vehicles.
- F. Powersport dealer: Any motor vehicle dealer who sells, either pursuant to a franchise

agreement or otherwise, primarily motor vehicles including but not limited to motorcycles, all-terrain vehicles, and personal watercraft.

- G. Public Motor Vehicle Auction: Any person, firm or corporation who takes possession of a motor vehicle whether by consignment, bailment, or any other arrangement, except by title, for the purpose of selling motor vehicles at a public or wholesale auction by a licensed auctioneer.
- H. Used Motor Vehicle Dealer: Any motor vehicle dealer who is not a new motor vehicle franchise dealer.
- I. Vessel Trailer: Any trailer designed and manufactured for the purpose of transporting vessels, including a person, partnership, or corporation, which acts for and is under the control of a manufacturer/assembler, who is responsible for the distribution of vessels or vessel trailers.
- J. Wholesale Motor Vehicle Auction: Any person, firm, or corporation in the business of providing auction services solely in wholesale transactions at its established place of business in which the purchasers are motor vehicle dealers licensed by this or any other jurisdiction and which neither buys, sells, nor owns the motor vehicles it auctions in the ordinary course of its business. Except as required by law with regard to the auction sale of a government owned motor vehicle, a wholesale motor vehicle auction shall not provide auction services in connection with the retail sale of a motor vehicle.
- K. Wholesale Motor Vehicle Dealer: A motor vehicle dealer who sells motor vehicles only to other new motor vehicle franchise dealers or used motor vehicle dealers or via auctions limited to other dealers of any class. WHOLESALE DEALERS MAY NOT MAKE RETAIL SALES.
- L. Storage Lot: An area, within the same city, or county where a dealer may store excess vehicle inventory.
- M. Vessel: Every boat and watercraft defined as a vessel in Section 306.010, RSMo.

MINIMUM SALES REQUIREMENT: Missouri law requires that a dealer sell six or more motor vehicles/trailers in each calendar year in order to be eligible to renew the license in the following calendar year. If you are a boat dealer, you must sell six or more vessels or vessel trailers or both in each calendar year in order to be eligible to renew the license in the following calendar year. If you are licensed for less than a full calendar year, you are required to make a minimum of one sale for each two-month period that you are licensed. Sales may be either at retail or wholesale.

ATTACHMENT A

INSTRUCTIONS FOR COMPLETING THE APPLICATION FOR DEALER, AUCTION, OR MANUFACTURER'S LICENSE AND NUMBER PLATE(S) form, DOR-4682

- A. **MAIL-TO ADDRESS INFORMATION** - Complete **ONLY** if your local postal authorities have confirmed, in a letter signed by an authorized representative of the post office, that mail **cannot** or **will not** be delivered to your business location (registered address), or that mail should not be delivered to your business location for security reasons such as theft or vandalism. Lack of a proper mail receptacle at your business will not qualify for a "MAIL-TO" address. The letter from postal authorities must be submitted with your application before a "MAIL-TO" address will be considered for approval.
- B. **BUSINESS NAME** – List the name to be used by the business, (i.e., John Doe Enterprises, Inc., D.B.A. John Doe Auto Sales.) After, your dealer license is approved, if a title application is submitted under a name other than the licensed name, the title transaction will be rejected.
- C. **BUSINESS ADDRESS/TELEPHONE NUMBER** – Provide your complete business address including street, city, county, state, and zip code. A STREET OR ROUTE NUMBER MUST BE SHOWN. Please record your business telephone number. **A mobile or cellular phone number is not acceptable.**
- D. **TYPE OF OPERATION(S)** – Check the appropriate box in Section 5, "Type of Operation(s)," on the application. Please refer to the definitions on page 5, 6, and 7 to determine the appropriate type of business operations.

NOTE: **You may register as a powersport dealer by marking "MV Dealer" in Section 5 on the application and by marking "New Cycles" or "Used Cycles" in Section 8 of the application.**

NOTE: **Powersport dealers are deemed to be a type of "motor vehicle dealer." (see page 6)**

Wholesale dealer: As a wholesale dealer, you **cannot** make retail sales.

Public or Wholesale Auctions: If registering as an auction, please check "Public Motor Vehicle Auction" or "Wholesale Motor Vehicle Auction" in Section 5 of the application.

NOTE: **Auctions must keep their records separate from any dealership records and maintain a display area or lot separate from the dealership lot for auction vehicles.**

Manufacturers: If you are requesting a manufacturer's license, you must submit a

letter that lists the makes of all motor vehicles/trailers/boats that you manufacture. If you are a “final stage” manufacturer/converter, please list the makes of all vehicle bodies, i.e., dump, hoist, coach, etc., that you manufacture, and provide a brief description of your operation, on a separate sheet of paper if needed. Please indicate whether you are the manufacturer of the bodies or whether you perform the conversion work. Also indicate whether you sell directly to the general public or whether you sell the units to another dealer for resale to the general public.

- E. **NUMBER OF PLATES REQUESTED** – After you review the guidelines listed below, please record the number of motor vehicle/powersport plates, boat certificates of number, and/or boat trailer plates you will need in Section 4 in the area designated under “If new dealer or if changing quantity of plates, record below and submit correct fees.”

Motor Vehicle Plates – Standard size (6-inch by 12-inch) license plates that can only be displayed on a motor vehicle, trailer, or motorcycle/motortricycle held for resale by a motor vehicle dealer/manufacturer.

NOTE: **A motor vehicle dealer who obtains no more than five vessels during a licensure period may display a motor vehicle or powersport dealer license plate on such vessels.**

Cycle/Powersport Plate – A motorcycle-size license plate that can only be displayed on a motorcycle, motortricycle, personal watercraft, or vessel trailer owned and being held for resale by a motor vehicle dealer, powersport dealer or manufacturer.

Boat Plate/Certificate of Number – A fiberglass plate/certificate of number, that measures 5 inches by 24 inches, to be displayed only on boat (vessel) trailers and boats that are owned and held for resale by a licensed boat dealer/manufacturer. The certificate of number must be carried in or displayed upon the boat during a demonstration on the water.

Boat Trailer Plates – Standard-size (6-inch by 12-inch) license plates that can only be displayed on a boat trailer being held for resale by a licensed boat dealer or manufacturer.

NOTE: **Public and Wholesale Auctions, are not eligible for dealer license plates because they do not own the vehicles being sold.**

- F. **TYPE OF UNITS TO BE SOLD/MANUFACTURED** – Check the appropriate boxes in Section 8, “TYPE OF UNITS TO BE SOLD/MANUFACTURED”. If you indicate on the application that you will be selling new or used motor vehicles, cycles, and/or trailers the Dealer Licensing Section will assign one dealer license number for selling or demonstrating all of the types of units indicated. If you indicate that you will be selling boats in addition to these types of units, the Dealer Licensing Section will issue you the same number for both licenses. The first alphabetical character will be “D” for selling vehicles and “M” for selling boats.

NOTE: **If “NEW CYCLES” (G) or “USED CYCLES” (H) is indicated, you will be considered a powersport dealer as defined on page 6 and authorized**

to sell cycles, all-terrain vehicles, and personal watercraft.

- G. **OWNER INFORMATION** – The birth date, home address, home phone number and Social Security Number of all owners, partners, and principal officers (if a corporation) must be recorded on the application.
- H. **SIGNATURE/FINANCIAL RESPONSIBILITY CERTIFICATION** - An owner, partner, or corporate officer listed on the application must sign in Section 17, "SIGNATURE OF OWNER, PARTNER, OR CORPORATE OFFICER LISTED ABOVE," of the application. By signing the application, the applicant certifies that the business has, and will maintain, during the entire licensure period, financial responsibility (liability insurance) with respect to each motor vehicle that is owned, licensed, or operated on the streets or highways. This includes motor vehicles held for resale. For more information regarding financial responsibility, please contact the Missouri Department of Revenue, Drivers and Vehicle Services Bureau, P. O. Box 200, Jefferson City, MO 65105-0200, or your insurance agent. You may call the Drivers and Vehicle Services Bureau at (573) 751-4600.
- I. **CERTIFICATION** – The application must be certified by a uniformed member of the Missouri State Highway Patrol stationed in the troop area in which the applicant's place of business is located. The certification is to ensure the applicant meets all the bona fide place of business requirements outlined in Attachment B. **A boat manufacturer or boat dealer, certification shall be performed by a member of the Missouri State Water Patrol stationed in the district area in which the applicant's place of business is located or by an uniformed member of the Missouri State Highway Patrol stationed in the troop area in which the applicant's place of business is located.**

If the dealership is located in a first class county, the city of St. Louis or Kansas City, the certification may be made by an authorized officer of a metropolitan police department from the area in which the applicant's place of business is located. (A sheriff's/marshal's certification is not acceptable). First class counties in Missouri are: Boone, Buchanan, Camden, Cape Girardeau, Clay, Cole, Franklin, Greene, Jackson, Jasper, Jefferson, Platte, St. Charles, and St. Louis County. The certifying officer must determine that the applicant has a bona fide established place of business as set forth in Section 301.560, RSMo. **THIS MUST BE COMPLETED BEFORE YOUR APPLICATION IS SUBMITTED TO THE DEALER LICENSING SECTION.**

Note: First-time applicants who apply for licensure during November or December are not required to have their renewal application certified by a law enforcement agency/officer provided the renewal is filed before the present license expires.

ATTACHMENT B

BONA FIDE PLACE OF BUSINESS REQUIREMENTS

The following shall be considered in determining the existence of a bona fide established place of business for motor vehicle manufacturers, new motor vehicle franchise dealers, used motor vehicle dealers, auctions, wholesale dealers, powersport dealers, boat dealers, and boat manufacturers.

PERMANENTLY ENCLOSED BUILDING - A bona fide established place of business must be a permanently enclosed building or structure either owned in fee or leased and actually occupied and primarily used in whole, or in clearly designated and segregated part, as a place of business by the applicant for the selling, bartering, trading, or exchanging of motor vehicles, trailers, all-terrain vehicles, personal watercraft, or boats and wherein the public may contact the owner or operator at any reasonable time, and wherein shall be kept and maintained the books, records, files, and other matters required and necessary to conduct the business. If a travel trailer or a mobile home is being used as the office, it must be anchored to the ground and the wheels removed. The building must contain a working telephone, which must be maintained at the business during the entire licensure year. **Mobile or cellular phones do not meet this requirement.**

NOTE: If a dealer is also licensed as an auction, the auction records must be kept separately from the dealership records.

EXAMPLE: An applicant for a motor vehicle dealer license maintains a building or structure primarily used in the operation of a business, other than the sale or exchange of motor vehicles. As a sideline, the applicant desires to engage in the business of selling motor vehicles. The building or structure used primarily for some other business, other than the selling or exchanging of motor vehicles, does not qualify as a bona fide established place of business for the selling of motor vehicles unless a separate area is clearly designated and records are separately maintained for the purpose of selling, bartering, trading, or exchanging of motor vehicles, motorcycles, all-terrain vehicles, personal watercraft, boats, or trailers.

DISPLAY LOT - A bona fide established place of business must also contain an area or lot, which shall not be a public street, upon which one or more vehicles may be displayed. The display area of the place of business must be of sufficient size to physically accommodate vehicles of the type which the business is licensed to sell. **The lot requirement does not apply to boat dealers and wholesale dealers.**

The display area must be clearly for the exclusive use of the business for display purposes only and must be in proximity to the office of the business to prevent confusion or uncertainty concerning its relationship to the business. The display area or lot must provide unencumbered visibility from the nearest public street of the vehicles being sold by the dealer, auction, or motor vehicle manufacturer. **An auction must maintain a display area or lot separate from the dealership lot for auction vehicles. An enclosed garage does not qualify as a proper display area.**

Example: John Smith has a place of business at a shopping center containing several other retail establishments. The shopping center contains a common parking area for customers of all retail establishments. The shopping center's parking lot does not qualify as a proper display area; thus, the building does not qualify as a bona fide established place of business for

the sale or exchange of motor vehicles.

BUSINESS SIGN – To qualify as a bona fide established place of business, there shall be a permanent exterior sign displayed carrying the name of the business set forth in letters at least six inches in height and clearly visible to the public.

The sign shall contain the name of the dealership by which it is known to the public through advertising or otherwise, which need not be identical to the name appearing on the dealership's license so long as such name is registered as a fictitious name with the Secretary of State and has been approved by its line-make manufacturer in writing in the case of a new motor vehicle franchise dealer.

NOTE: **A copy of such fictitious name registration must accompany the application for dealer licensure in this case.**

The sign shall be of a **permanent** nature, erected on the exterior of the office or on the display area, and be constructed or painted and maintained so as to withstand reasonable climatic conditions and be readable. A temporary sign or device may be used while the applicant obtains a permanent sign or device, provided a work order for construction, purchase or painting has in fact been placed. **If this is the case, a copy of the sign order and a picture of the temporary sign must be submitted with the application.** If a franchise dealer purchases a currently licensed new motor vehicle franchise dealership, the dealer may submit a photo of the existing dealership sign until a new sign is acquired. **The sign requirement does not apply to wholesale dealers.**

A public motor vehicle auction licensee shall display, in a conspicuous manner, two additional signs, each of which shall bear the following warning in letters at least six inches high: "Attention Buyers: Vehicles sold at this auction may not have had a safety inspection." The dimensions of each sign shall be at least two feet by two feet.

BUSINESS HOURS - A bona fide established place of business must be open at regular business hours when the owner or operator may be contacted by the public at the business address. For purpose of this rule, "regular business hours" are considered to be a minimum of 20 hours per week. You may satisfy these requirements by being open at least four days (Monday through Saturday) each week. Only the hours between 6 A.M. and 10 P.M. will be considered by the Department of Revenue in determining whether a place of business is open the minimum of 20 hours per week. You must post the business hours at the business location and must have the records accessible for inspection during the posted times.

FRANCHISE REPAIR FACILITIES - If a new motor vehicle franchise dealer, the place of business shall include adequate facilities, tools, and personnel necessary to properly service and repair motor vehicles and trailers under the franchisor's warranty.

The bona fide established place of business of a licensee must be maintained for the entire licensure period. If the bona fide established place of business is not maintained, the licensee must notify the department within ten days and surrender at that time the licensee's temporary permits, license, and license plates/certificates of number. If the licensee intends to relocate prior to the expiration of the license, the department must be informed of such intent at the time the license is surrendered. If the business is then certified at a new location, the department will return the temporary permits, license plates/certificates of number and issue a new license reflecting the new location for no additional fee. The department or its representative reserves the right to determine the existence of a bona fide established place of business at any time.

CHECK LIST FOR LICENSURE REQUIREMENTS

1. Application for Dealer, Auction, or Manufacturer License and Number Plate(s) form, DOR-4682, completed and signed by the owner, partner, or corporate officer shown on the application. The application must also contain the signature of authorized law enforcement to certify the business location.
2. Criminal Record Check as outlined on page 1.
3. Current photograph of the applicant's bona fide place of business (building, lot, and sign). (If more than one photo is taken to show your building, lot, and sign, a separate statement that indicates all photos were taken at the same address must be submitted.)
4. An original surety bond or irrevocable letter of credit, in the amount of \$25,000, listing the exact dealership's name as the principal (this requirement does not apply to auctions or manufacturers). (See page 2)
5. A check or money order for license fees, certificates of number, and/or plate fees, made payable to the Department of Revenue. (See page 3)
6. The following items must be included, if applicable:
 - A. The manufacturer's letter outlining the business operations (See page 3);
 - B. A photograph of the permanent sign or a copy of the permanent sign order and a photograph of the dealership's temporary sign (See page 2);
 - C. A Fictitious Name Registration if the name on your sign is not the same as the business name on your application (See Attachment B);
 - D. A letter from the U. S. Postal Authority requesting a "Mail-To" address due to security reasons and signed by postal authorities (See Attachment A);
 - E. A copy of the franchise agreement(s) or letter of appointment (See page 2); and
 - F. Two applications if applying for licensure as a motor vehicle dealer and an auction.

If you are sending someone to Jefferson City to deliver the application to the Department of Revenue and pick up the approved pink receipt and dealer license plates, and the person is not listed as an owner on the application, he or she must have a statement stating the name of the person who will be picking up the approved pink receipt and dealer license plates. The statement must be signed by one of the owners.

Please mail your application and all fees to the following address:

Driver and Vehicle Services Bureau
Dealer Licensing Section
Post Office Box 43
Jefferson City, MO 65105-0043

Upon approval of your application, the Dealer Licensing Section will issue your license and send your dealer license plate(s) to your dealership address via United Parcel Service.

SAMPLE BOND FOR MISSOURI DEALER

Bond number: _____

KNOW ALL PERSONS BY THESE PRESENT, that I/we _____
(Dealership Name)
as Principal, and _____, a corporation organized and
(Bonding Company)
existing under the laws of the State of _____, and having its principal

place of business at _____, as Surety, are held and firmly
bound unto the State of Missouri, for the benefit of all aggrieved parties in the penal sum of
Twenty-Five Thousand Dollars (\$25,000.00) per license year for the payment of which, well and
truly to be made, we bind ourselves, firmly by these presents.

WHEREAS the Principal has applied for the issuance of a Motor Vehicle and/or Boat
Dealer's license and presents this bond in accordance with Missouri statute(s).

NOW, THEREFORE, if during the period(s) covered by this bond, the aforesaid
Principal shall faithfully comply with the provisions of Missouri statutes applicable to new
motor vehicle franchised dealers, used motor vehicle dealers, powersport dealers, wholesale
motor vehicle dealers, and boat dealers, and shall indemnify for any loss sustained by reason of
the acts of Principal when such acts constitute grounds for suspension or revocation of the
Principal's license, this obligation shall be null and void. Otherwise this obligation shall remain
in full force and effect subject to the following conditions:

The proceeds of this bond shall be paid upon receipt by the Missouri Department of
Revenue of a final judgement from a Missouri court of competent jurisdiction against the
Principal and in favor of an aggrieved party.

The aggregate liability of the Surety to all persons shall, in no event, exceed the amount
of this bond during any one license year.

The bond shall be effective _____, and shall expire
_____. (Bond can be listed as "non-expiring" or must list an expiration
date through the end of the calendar year).

This bond may be canceled by the Surety giving written notice to the Principal and
Missouri Department of Revenue, stating the date of cancellation, which in no event shall be less
than thirty (30) days after receipt of said notice by the Director of Revenue; however, the Surety
shall remain liable for any and all acts of the Principal covered by this bond up to the date of
cancellation.

Dated this _____ day of _____, _____.

PRINCIPAL'S SIGNATURE**WITNESS**_____
Signature of Principal/Dealer (Seal)_____
Signature of Witness_____
Title**SURETY'S SIGNATURE****WITNESS**_____
Signature of Surety (Seal)_____
Signature of Witness_____
Title

ATTACHMENT C-1

IRREVOCABLE LETTER OF CREDIT

TO: DRIVER AND VEHICLE SERVICES BUREAU
DEALER LICENSING SECTION
POST OFFICE BOX 43
JEFFERSON CITY, MO 65105-0043

LETTER OF CREDIT NUMBER: _____

EFFECTIVE DATE: _____
(Month, Day, Year)

EXPIRATION DATE: NON-EXPIRING UNLESS
CANCELLED AS PROVED HEREIN

On behalf of _____
(Dealership Name as Listed On Dealer Application)

located at _____
(Street) (City) (State) (Zip)

I/we hereby issue our irrevocable letter of credit, in favor of the Missouri Department of Revenue in the penal sum of twenty-five thousand dollars (\$25,000.00) available by your draft at sight.

Drafts under this irrevocable letter of credit must be accompanied by a final judgment received by the Missouri Department of Revenue and issued by a Missouri court of competent jurisdiction against the dealer and in favor of an aggrieved party.

WHEREAS, the dealer applicant has applied for the issuance of motor vehicle and/or boat dealer's license and presents this irrevocable letter of credit in accordance with the statute.

NOW, THEREFORE, this letter of credit shall be conditioned upon dealer's faithful compliance with the provisions of the statutes applicable to new motor vehicle franchised dealers, used motor vehicle dealers, powersport dealers, wholesale motor vehicle dealers, and boat dealers, and this letter of credit shall be an indemnity for any loss sustained by any person by reason of the acts of the dealer when such acts constitute grounds for the suspension or revocation of the dealer's license.

The aggregate liability of the issuing financial institution during any one license year, shall in no event, exceed the amount of this irrevocable letter of credit.

THIS OBLIGATION SHALL BE DEEMED AUTOMATICALLY RENEWED ON AN ANNUAL BASIS. THE ISSUING FINANCIAL INSTITUTION MAY CANCEL THE LETTER OF CREDIT AND BE RELEASED FROM FUTURE LIABILITY HEREUNDER BY DELIVERING THIRTY (30) DAYS PRIOR, WRITTEN NOTICE TO THE MISSOURI DEPARTMENT OF REVENUE AT THE ADDRESS SHOWN ABOVE. CANCELLATION SHALL NOT AFFECT ANY LIABILITY INCURRED AND ACCRUED HEREUNDER PRIOR TO THE TERMINATION OF THE THIRTY (30) DAY PERIOD.

ATTACHMENT C-2

FURTHER, THIS LETTER OF CREDIT WILL REMAIN IN FULL FORCE AND IN EFFECT FOR FIVE YEARS AFTER SUCH CANCELLATION FOR ANY LIABILITY INCURRED DUE TO ACTS OF THE DEALER WHICH OCCURRED PRIOR TO THE EFFECTIVE DATE OF SAID CANCELLATION.

We hereby assure the Missouri Department of Revenue that drafts drawn in conformity with the terms of this letter of credit will be duly honored on presentation.

This letter of credit is issued subject to Article 5 of the Uniform Commercial Code.

In witness thereof, we have duly executed the foregoing this

_____ day of _____, _____.

Name of issuing Financial Institution: _____

Authorized Official for Financial Institution: _____
(SIGNATURE)

() _____
(PHONE NUMBER) (TITLE)

Address of Financial Institution: _____
(STREET)

(CITY) (STATE) (ZIP)

Witness to Issuer's Signature: _____

Signature of Dealer: _____

Witness to Dealer Signature: _____

Mail to: Driver and Vehicle Services Bureau
Dealer Licensing Section
Post Office Box 43
Jefferson City, MO 65105-0043

SAMPLE FRANCHISE AGREEMENT CONFIRMATION

(Franchisor's name and address)

authorizes _____ to sell the following:
(Dealership's name)

(list any make(s) and or model(s) of vehicles)

The franchise agreement shall be effective _____, 20____, and shall expire _____, 20____. (Franchise agreement can be listed as "non-expiring" or must list an expiration date.)

The franchise agreement may be canceled by an authorized representative of the franchisor giving written notice stating the date of cancellation, to the Dealer Licensing Section, Missouri Department of Revenue, at least thirty (30) days prior to cancellation of the franchise agreement.

Authorized Franchised Dealer:

(Name)

Dealer number: _____

(Agent/owner of dealership)


(Address)

(City, State, and Zip code)

Dated this _____ day of _____, 20____.

Agent of Franchisor/Manufacturer: _____
(Sign and date)

ATTACHMENT D

 MISSOURI STATE HIGHWAY PATROL		SHP-158G 02/04
REQUEST FOR CRIMINAL RECORD CHECK		
Please print or type.		
NAME _____ <div style="display: flex; justify-content: space-between; font-size: small;"> Last First Middle Jr. / Sr. </div>		
MAIDEN / ALIAS _____ <div style="display: flex; justify-content: space-between; font-size: small;"> Last First Middle Jr. / Sr. </div>		
SEX <input type="checkbox"/> Male <input type="checkbox"/> Female DOB ____/____/____ SOCIAL SECURITY NO. _____ <div style="display: flex; justify-content: space-between; font-size: small;"> Month Day Year </div>		
RACE <input type="checkbox"/> Caucasian <input type="checkbox"/> Black <input type="checkbox"/> Hispanic <input type="checkbox"/> Asian <input type="checkbox"/> Other _____		
ADDRESS _____ <div style="display: flex; justify-content: space-between; font-size: small;"> Street - P.O. Box City State Zip Code </div>		
REQUESTING ENTITY		
Name _____ Phone _____ Address _____		
ENTITY TYPE <input type="checkbox"/> Government <input type="checkbox"/> Private <input type="checkbox"/> Association <input type="checkbox"/> Individual <div style="display: flex; justify-content: space-between; font-size: small;"> <input type="checkbox"/> Municipal <input type="checkbox"/> Profit <input type="checkbox"/> Other (specify) _____ </div> <div style="display: flex; justify-content: space-between; font-size: small;"> <input type="checkbox"/> State <input type="checkbox"/> Not for Profit </div> <div style="display: flex; justify-content: space-between; font-size: small;"> <input type="checkbox"/> Federal </div>		
PURPOSE FOR REQUEST <input type="checkbox"/> Employment <input type="checkbox"/> Volunteer <input type="checkbox"/> Licensing <input type="checkbox"/> Other (specify) _____ (Check all that apply) <input type="checkbox"/> Care of youth <input type="checkbox"/> Care of elderly <input type="checkbox"/> Care of disabled		
ATTENTION YOUTH SERVICE PROVIDERS Sections 43.540 and 589.400 RSMo.		
This Criminal History Record Check document, signed by the applicant, will serve as written consent to check criminal record and offender information by the requestor. The information obtained shall be confidential and any person who discloses the information beyond the scope allowed in Sections 43.540 and 589.400 RSMo. shall be subject to prosecution for a Class A misdemeanor.		
_____ Signature of Subject of Request		_____ Date
PROCESSING FEE SCHEDULE AND METHOD OF PAYMENT (per Sections 43.527 and 43.530, RSMo.) Search based on NAME, DATE OF BIRTH, SOCIAL SECURITY NO.: Five Dollars (\$5.00) per request. OR Search based on FINGERPRINTS and NAME: Fourteen Dollars (\$14.00) per individual. (Fingerprints must accompany this request)		
Fee is payable either by check or money order (NO CASH) to "State of Missouri, Criminal Record System." Please forward the request and fee to: Missouri State Highway Patrol, Criminal Records and Identification Division, Post Office Box 9500, Jefferson City, MO 65102		
SEND REPLY TO (Print or type your mailing label below.) Telephone (include area code) _____		
MISSOURI DEPARTMENT OF REVENUE DEALERS LICENSING SECTION PO BOX 43 JEFFERSON CITY MO 65105-0043		

Criminal Records and Identification Division

General Information

The Missouri Criminal Records Repository (MCRR), collects, maintains, and disseminates Criminal History Record Information (CHRI) as defined by 43.500 and 589.400 RSMo. Criminal History Record Information is information collected by criminal justice agencies on individuals consisting of arrests, prosecution, a final disposition, correctional supervision, and release. All felony and serious misdemeanor arrests (referred to as reportable arrests) including

offender registration information as defined under 589.400, RSMo. and all alcohol and drug related traffic offenses are reportable to the MCRR. Criminal history records are designated as open or closed.

- Open records

1. arrest record for 30 days following arrest unless charges are not sought.
2. arrest record for which charges have been filed.
3. court disposition of guilty.
4. suspended imposition of sentence during probation period.

- Closed records

1. arrest record after 30 days following arrest with no charges filed.
2. nolle prossed.
3. dismissed.
4. found not guilty.
5. suspended imposition of sentence after probation completed.

- Open criminal history records are accessible to the general public through MCRR for a fee.

- Five dollars for a name, date of birth, social security number check.

- Fourteen dollars for a fingerprint check.

- Closed records are accessible to certain groups designated in section 610.120.

- MCRR will only release closed records to those noncriminal justice entities entitled to closed records, when the criminal record check is based on a fingerprint search which will assure the identity of the subject in question.

- Any person can receive their own record, open and closed, by submission of fingerprints and required fee. Any requester may receive open record information. Closed records are accessible by the following, in accordance with 610.120 RSMo, with the submission of fingerprints and required fee.

1. Child care agencies
2. Department of Revenue for driving record purposes
3. Facilities as described in Section 198.006, RSMo.
4. In-home services provider agencies as defined in 660.250, RSMo.
5. Division of Workers' Compensation for the purposes of determining eligibility for crime victim's compensation pursuant to Sections 595.010 to 595.075, RSMo.
6. Offender record information, upon written consent, is accessible to Youth Service agencies pursuant to 589.400 RSMo.

FBI Record requests

- The FBI files are open to criminal justice agencies for the administration of criminal justice.

- The FBI has only open files in that if someone has the authority to receive the records, they receive all that is on file.

- The FBI allows access to their files to noncriminal justice agencies for certain purposes for a fee.

- The purpose for the record check must be set forth in the federal regulations.

- The state, from which the noncriminal justice request originates, must have a state statute specifying the entity has state authority to check the FBI files for the purpose specified.

- Fingerprints must be submitted before the FBI will release their files to a noncriminal justice entity.

- The result of the federal record search must terminate at a governmental agency and is not to be released to a private entity.

- All requests into the federal file from the state entities must come through and be stamped by MCRR.

- Federal record checks for noncriminal justice entities are \$24.00 for licensing or employment checks and \$18.00 for volunteers to those covered care facilities.

PENALTY - A person who knowingly violates any provision of section 610.100, 610.105, 610.106, or 610.120 is guilty of a class A misdemeanor.